IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

WRIT PETITION No. 1498 of 1995

Between:

Siravuri Venkata Narayana Raju S/o LAte Satyanarayana Raju
aged 42 years, R/o Garugubilli, Garugubilli (M),
Vizianagaram Dist.

..... PETITIONER

AND

1 The Govt of A.P. Rep by Secretary,
Agriculture & cooperation Department, Secretariat,
Hyderabad.
2 The commissioner of Cooperation & Registrar of Cooperative

Societies, Gruhakalpa, Hyderabad. A.P.
3 The Divisional Cooperative Officer
Parvathipuram, Vizianagaram Dist.
4 The Primary Agriculture Cooperative Credit Society Ltd,

Rep by Preson in Charge.
Garugubilli, Vizianagaram Dist.,

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of writ of Mandamus declaring the Proceedings of the 3rd respondent in Rc.No.1654/92-C, Dt:19.12.94 as highly illegal, arbitrary, unjust and void and violative of Government MemoNo.5661/Coop-III/2/91-1, dt:14.10.91 of the first respondent and consequently set a side the same.

Counsel for the Petitioner: MR.D.V.NAGARJUNA BABU

Counsel for the Respondent Nos.1 to 4: GP FOR COOPERATION

The Court made the following:

ORDER:

The writ petition is filed with the prayer as follows:

> "….to issue a Writ or Order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings of the 3rd respondent in Rc.No.1654/93-C, dt.19.12.1994 as highly illegal, arbitrary, unjust and void and violative of Government Memo No.5661/Coop.-III/2/91-1, dt.14.10.1991 of the first respondent and consequently set aside the same."

When the matter is taken up, it is stated by the learned counsel for the petitioner as well as the learned Government pleader appearing for the respondents that the issue involved in this writ petition is squarely covered by a Judgment of the Division Bench of this Court reported in ***Government of Andhra Pradesh vs. A.P.State Cooperative Societies Secretaries and Employees Union*** . The Division Bench allowed the writ appeals subject to the observations made in para-38 of the Judgment.

In the circumstances, this Writ Petition is allowed for the same reasons and subject to the same observations made by the Division Bench of this Court while allowing the above mentioned writ appeals. No costs.

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16.12.2004

dsr

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this the Thursday, Sixteenth day of December, Two thousand and four.

ASSISTANT REGISTRAR

To:

1. The Secretary,
Government of Andhra Pradesh,
Agricultural & Cooperation Department,
Secretariat, Hyderabad

2. The Commissioner of Cooperation &
Registrar of Cooperative Societies,
Andhra Pradesh, Gruhakalpa,
Hyderabad

3. The Divisional Cooperative Officer,
Parvathipuram, Vizianagaram District

4. The Person-in-charge,

The Primary Agricultural Cooperative

Credit Society Limited,

Garugubilli, Vizianagaram District

5. Two CCs to the Government Pleader

for Cooperation, High Court Buildings,

Hyderabad (OUT)

6. Two CD copies.